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May 30, 2002

VIA COURIER

Attention: Licensing and Review

The Commissioner of Patents
and Trademarks
Washington, D.C. 20231
U.S.A.

Dear Sirs:

RE: United States Patent Application No. 10/043,344
Applicant: Sheena M. Loosmore et al.
Title: TRANSFERRIN RECEPTOR GENES

We refer to your Notice of April 26, 2002.

We believe that the Notice was issued in error. The subject matter of this application is in no manner "useful in the production or utilization of special nuclear material or atomic energy".

The subject matter of this invention is isolated and purified nucleic acid molecules encoding transferrin receptor proteins of a strain of *Haemophilus* and related subject matter. It is not known in what manner such subject matter is considered to be related to nuclear material or atomic energy. This application is a continuation of Application No. 08/649,518, now U.S. Patent No. 6,361,779. Accordingly, all the subject matter of this application has already been published in said U.S. patent.

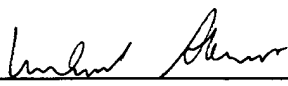
It should further be noted that prior Application No. 08/649,518 is a CIP of 08/483,577 (USP 6,015,688), which is a CIP of 08/337,483 (USP 5,922,562), which is a CIP of 08/515,116, now abandoned, which is a CIP of 08/148,968, now abandoned. In no precursor application was a notice of the type mailed April 26, 2002 in this application received.

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Reconsideration, therefor, is requested with respect to the requirement for a statement of the type indicated. Nevertheless, we are attempting to obtain a Declaration executed by the inventors.

Your communication indicates that any question concerning this requirement should be directed to Licensing and Review. We attempted to contact the number given but got a voice mail message saying that the voice mail box was full!

Yours truly,



Michael I. Stewart
Registration No. 24,973